Express Mail Label No.: EV139501195US Attorney Docket No.: 21402-099 (CURA-399)

Date of Deposit: December 16, 2002

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Burgess, et al.

ERIAL NUMBER: 09/939,853

EXAMINER: Not Yet Assigned

FILING DATE: August 27, 2001

ART UNIT: 1646

FOR: Novel Proteins and Nucleic Acids Encoding Same

**BOX IDS** 

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Supplemental Information Disclosure Statement is being filed within three months of the mailing date of the International Search Report. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed Form PTO-1449 to evidence that the cited information has been fully considered by the PATENT AND TRADEMARK OFFICE during the examination of this application.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 21402-099 CURA-399).

Respectfully submitted,

Ivor R. Elrifi Registration No. 39,529

421764

Attorney for the Applicants

c/o MINTZ, LEVIN, COHN, FERRIS,

GLOVSKY and POPEO, P.C.

One Financial Center

Boston, Massachusetts 02111

Tel: (617) 542-6000 Fax: (617) 542-2241

### RECEIVED

Express Mail No. EV139501195US Date of Deposit: December 16, 2002

DEC 2 0 2002

Page 1 of 1

Please type a plus sign (+) in this box +

## **TECH CENTER 1600/2900**

09/939,853 **Application Number** ified Form 1449/PTO 08/27/01 **Filing Date First Named Inventor** INFORMATION DISCLOSURE **Burgess** STATEMENT BY APPLICANT **Group Art Unit** 1646 **Examiner Name** Not Yet Assigned (use as many sheets as necessary) Attorney Docket Number 21402-099 (CURA-399)

	U.S. PATENT DOCUMENTS								
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate		

	FOREIGN PATENT DOCUMENTS							
Exam Cite No. Office Number Name of Patentee(s) or Applicant(s) Date of Publication Yes No					Translation Yes No			
	B4	wo	00/09552	Genetics Institute	2/24/00			

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS								
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.							
	C211	Klein, et al. "Selection for genes encoding secreted proteins and receptors" <i>Proc. Natl. Acad. Sci. USA</i> 93:7108-7113.							
	C212 International Search Report for PCT US 01/26510, mailed September 12, 2002.								

a copy of	this reference is not provided as it	was previously cited by or submitted to the office in a prior application
Serial No.	, filed	, and relied upon for an earlier filing date under
35 U.S.C.	\$120 (continuation, continuation-in-	part, and divisional applications).

Examiner Signature	Date Considered	
1	<b>1</b>	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRA 1743083v1

# RECEIVED

Express Mail No. EV139501195US Date of Deposit: December 16, 2002

DEC 2 0 2002

Page 1 of 1

TECH CENTER 1600/2900

OF 16 Dease type a plus sign (+) in this box +

9)		
1940 Form 1449/PTO	Application Number	09/939,853
9	Filing Date	08/27/01
INFORMATION DISCLOSURE	First Named Inventor	Burgess
STATEMENT BY APPLICANT	Group Art Unit	1646
	Examiner Name	Not Yet Assigned
(use as many sheets as necessary)	Attorney Docket Number	21402-099 (CUBA-399)

U.S. PATENT DOCUMENTS								
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate	

	FOREIGN PATENT DOCUMENTS						
Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
	B4	wo	00/09552	Genetics Institute	2/24/00		

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS								
Exam Initials Cite No. Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.									
	C211	Klein, et al. "Selection for genes encoding secreted proteins and receptors" <i>Proc. Natl. Acad. Sci. USA</i> 93:7108-7113.							
	C212	International Search Report for PCT US 01/26510, mailed September 12, 2002.							

* a copy of	this reference is not provided as it wa	is previously cited by or submitted to the office in a prior application,
Serial No.	, filed	, and relied upon for an earlier filing date under
35 U.S.C.	\$120 (continuation, continuation-in-pa	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRA 1743083v1